

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_  
51 GREENE STREET CONDOMINIUM,

Plaintiff,

-against-

ADMIRAL INDEMNITY COMPANY,

Defendant.

Docket No.:

**NOTICE OF REMOVAL  
PURSUANT TO 28 USC  
§ 1446**

\_\_\_\_\_  
**TO THE HONORABLE JUDGES OF THE UNITED STATES  
DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK**

The Petitioner, ADMIRAL INDEMNITY COMPANY, Defendant in the above-entitled action, by its attorneys WHITE, FLEISCHNER & FINO, LLP, respectfully show this Court:

1. The Petitioner is the defendant in the instant action.
2. Upon information and belief this action was commenced by filing of a Summons and Supplemental Summons and Complaint in the Supreme Court of the State of New York, County of New York, dated November 3, 2017, under Index No.: 656726/2017, followed by service on the Insurance Department of the State of New York on November 6, 2017. Annexed hereto as *Exhibit "A"* is a copy of the Summons, Supplemental Summons and Complaint. Annexed hereto as *Exhibit "B"* is a copy of the acknowledgement of service.
3. Plaintiff 51 GREENE STREET CONDOMINIUM ("Plaintiff") alleges that it has sustained or will sustain \$8,785,612.69 in losses, costs, fees, expenses and damages as a result of a covered peril under a policy of insurance ("the Policy") issued by Defendant

ADMIRAL INDEMNITY COMPANY (“ADMIRAL”), for which a claim was made (“the Claim”) and for which coverage has been denied by ADMIRAL other than for items totaling \$1,134,554.59. Plaintiff specifically alleges that it has already sustained damages in excess of the Policy limit of \$3,912,000.00 for Building coverage, received bills for debris removal in the amount of \$460,391.75 and sustained a Business Income loss in the amount of \$115,845.64. Plaintiff alleges that ADMIRAL has breached its obligations to pay the Claim under the Policy and in the alternative that Plaintiff is entitled to a declaration compelling ADMIRAL to proceed with Appraisal of the Claim.

4. This Court has original jurisdiction of this civil action pursuant to 28 USC §1332 because there is complete diversity in the matter and the amount in controversy exceeds the sum of \$75,000 exclusive of interest and costs.

5. The Plaintiff, 51 Greene Street Condominium, is a citizen of the State of New York.

6. The Defendant, ADMIRAL INDEMNITY COMPANY, is a Delaware corporation with its principal place of business in the State of New Jersey.

WHEREFORE, Petitioner prays that the instant action now pending before the Supreme Court of the State of New York, County of New York, be removed therefrom to the

United States District Court for the Southern District of New York, and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
December 1, 2017

Yours, etc.,

WHITE FLEISCHNER & FINO, LLP

By:



Jonathan S. Chernow (JSC-7339)

Attorneys for Defendant

ADMIRAL INDEMNITY COMPANY

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New York, New York 10006

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Our File No.: 179-203351.

TO: (See Attached Affidavit)